

Regular Session, 2009

HOUSE BILL NO. 531

BY REPRESENTATIVE HENRY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

STUDENT/HOME STUDY: Provides eligibility for certain home study students to participate in public school interscholastic extracurricular activities

1 AN ACT

2 To enact R.S. 17:236.3, relative to the eligibility of students in state-approved home study
3 programs to participate in interscholastic extracurricular activities in public
4 elementary and secondary schools; to provide applicability; to provide guidelines and
5 conditions for participation; to provide limitations; to provide effectiveness; to
6 provide an effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:236.3 is hereby enacted to read as follows:

9 §236.3. Home study program participants; eligibility to participate in public school
10 interscholastic extracurricular activities; guidelines; standards; limitations

11 A. Beginning with the 2009-2010 school year and continuing thereafter, a
12 student participating in a home study program approved by the State Board of
13 Elementary and Secondary Education in accordance with R.S. 17:236.1 shall be
14 eligible to participate in interscholastic extracurricular activities in public elementary
15 and secondary schools in accordance with the provisions of this Section.

16 B. To be eligible to participate in an interscholastic extracurricular activity
17 as provided by Subsection A of this Section, the home study student shall meet each
18 of the following conditions and comply with other applicable provisions of this
19 Section:

1 (1) The activity in which the student participates is provided by a public
2 school that the student would otherwise be eligible to attend if enrolled in the public
3 school system.

4 (2)(a) The student's participation in the activity is approved by the principal
5 of the school providing the activity. A request by the student to participate in the
6 activity and the approval determination by the principal shall be made in a timely
7 manner. Prior to any such determination, the student shall be provided an equal
8 opportunity to qualify for such participation. The fact that the student is enrolled in
9 a home study program approved by the State Board of Elementary and Secondary
10 Education shall not be a factor in the determination.

11 (b) An approval determination made by a principal in accordance with the
12 provisions of this Section shall be final.

13 (3) At the time of participating in the activity, the student and the home study
14 program are in full compliance with all guidelines, standards, and requirements
15 established by R.S. 17:236.1 for an approved home study program.

16 (4) The student meets academic standards required of a public school student
17 to participate in the activity. Before participating and as often as required, the
18 student shall provide each of the following:

19 (a) Documentation from the State Board of Elementary and Secondary
20 Education that the student's home study program is approved.

21 (b) A copy of the student's transcript showing units of study completed or
22 in progress, the grades earned for such study, and the student's cumulative grade
23 point average.

24 (c) A written statement of assurance from a student's parent that participation
25 in the activity is not interfering with or hindering the student's academic progress.

26 (5) The student meets all other standards and requirements applicable to a
27 public school student to participate in the activity, including but not limited to
28 tryouts, schedules, forms, fees, and transportation arrangements but excluding
29 requirements for enrollment and attendance at the public school.

1 (6) The student meets conditions applicable to public school students relative
2 to having any required insurance coverage either by participating, if otherwise
3 eligible, in insurance programs offered through the school or school system or by
4 providing for such insurance coverage in another manner.

5 C.(1) A student who has been enrolled in a public or nonpublic school during
6 the school year in which the student begins home study or during the previous school
7 year and who was determined ineligible to participate in one or more interscholastic
8 extracurricular activities at such school for reasons related to student conduct or
9 academic performance, or both, shall be ineligible to participate in interscholastic
10 athletic activities as provided by this Section for one calendar year from the date the
11 student was determined ineligible.

12 (2) A student who has been enrolled in a public or nonpublic school during
13 the school year in which the student begins home study shall not be eligible to
14 participate in interscholastic athletic activities as provided by this Section during the
15 remainder of that school year nor during the following school year.

16 D. Any rule or regulation of the Louisiana High School Athletic Association
17 and of any other organization or entity which requires as a condition of eligibility to
18 participate in an interscholastic extracurricular activity that a student be enrolled in
19 or attend, or both, a public or state-approved nonpublic school shall not apply to a
20 home study student who is eligible to participate in the activity in a public school in
21 accordance with the provisions of this Section or who is eligible to participate in the
22 activity in a state-approved nonpublic school in accordance with standards and
23 procedures adopted by the governing authority of the nonpublic school that are
24 substantially similar to those provided by this Section.

25 Section 2. This Act shall become effective upon signature by the governor or, if not
26 signed by the governor, upon expiration of the time for bills to become law without signature
27 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
28 vetoed by the governor and subsequently approved by the legislature, this Act shall become
29 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Henry

HB No. 531

Abstract: Provides eligibility for certain home study students to participate in public school interscholastic extracurricular activities in accordance with specified guidelines, procedures, and limitations.

Proposed law provides (beginning with the 2009-2010 school year and continuing thereafter) that a student participating in a home study program approved by the State Board of Elementary and Secondary Education (BESE) in accordance with R.S. 17:236.1 shall be eligible to participate in interscholastic extracurricular activities in public elementary and secondary schools in accordance with the provisions of proposed law.

Specifies that to be eligible to participate in an interscholastic extracurricular activity as provided by proposed law, the home study student shall meet each of the following conditions and comply with other applicable provisions of proposed law:

- (1) The activity is provided by a public school that the student would otherwise be eligible to attend.
- (2) The student's participation is approved by the principal of the school. Provides that a request to participate and the approval determination by the principal shall be made in a timely manner. Requires that prior to any such determination, the student shall be provided an equal opportunity to qualify for such participation. Specifies that the fact that the student is enrolled in a home study program shall not be a factor in the determination. Also specifies that an approval determination made by a principal shall be final.
- (3) At the time of participating in the activity, the student and the home study program are in full compliance with all guidelines, standards, and requirements established by state law (R.S. 17:236.1).
- (4) The student meets academic standards required of a public school student to participate in the activity. Provides that before participating and as often as required, the student shall provide the following:
 - (a) Documentation from BESE that the student's home study program is approved.
 - (b) A copy of the student's transcript showing units of study completed or in progress, the grades earned for such study, and the student's cumulative GPA.
 - (c) A written statement of assurance from a student's parent that participation in the activity is not interfering with or hindering the student's academic progress.
- (5) The student meets all other standards and requirements applicable to a public school student to participate in the activity, including but not limited to tryouts, schedules, forms, fees, and transportation arrangements.
- (6) The student meets conditions applicable to public school students relative to having any required insurance coverage.

Provides that a student who has been enrolled in a public or nonpublic school during the school year in which the student begins home study or during the previous school year and who was determined ineligible to participate in interscholastic extracurricular activities for reasons related to conduct or academic performance shall be ineligible to participate in interscholastic athletic activities as provided by proposed law for one year from the date the student was determined ineligible.

Specifies that a student who has been enrolled in a public or nonpublic school during the school year in which the student begins home study shall not be eligible to participate in interscholastic athletic activities during the remainder of that school year or the next.

Provides that any rule or regulation of the La. High School Athletic Association and of any other organization or entity which requires as a condition of eligibility to participate in an interscholastic extracurricular activity that a student be enrolled in or attend, or both, a public or state-approved nonpublic school shall not apply to a home study student who is eligible to participate in the activity in a public school in accordance with the provisions of proposed law or who is eligible to participate in the activity in a state-approved nonpublic school in accordance with standards and procedures adopted by the governing authority of the nonpublic school that are substantially similar to those provided by proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 17:236.3)